



PATENT
Customer No. 22,852
Attorney Docket No. 05793.3013-00

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Robert A. KOTTMEIER, Jr. et al.

Patent No.: 7,406,442
(Application No. 09/659,585)

Issued: July 29, 2008

For: SYSTEM AND METHOD FOR
PROVIDING A CREDIT CARD
WITH MULTIPLE CREDIT LINES

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)
) Group Art Unit: 3693
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) Examiner: Richard C. Weisberger
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) Confirmation No. 4493
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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

APPLICATION FOR PATENT TERM ADJUSTMENT-POST GRANT

In accordance with 37 C.F.R. § 1.705(b), Applicants hereby apply for patent term adjustment under 35 U.S.C. § 154(b) of 209 days. This application is being filed within two months of issuance of the above patent, as required by 37 C.F.R. § 1.705(d).

I. Statement of the Facts Involved

A. Correct Patent Term Adjustment

According to information printed on the face of the above-identified issued patent, this patent is entitled to 208 days of patent term adjustment.

Applicants have calculated a patent term adjustment of 209 days based on the following facts:

09/22/2008 JADD02 00000002 7406442
01 FC:1455 200.00 OP

Relevant Dates

The above-identified application was allowed on October 19, 2007.

The Issue Fee was timely paid on the due date of January 22, 2008. An Amendment After Notice of Allowance under Rule 312 was also filed on January 22, 2008, concurrently with the payment of the Issue Fee.

The Notice of Allowance indicated a PTA of 263 days. The Issue Notification indicated a Patent Term Adjustment of 208 days.

There appears to be an overlap of the Issue Fee Payment Verified (3 days) and the Amendment After Notice of Allowance (120 days) on January 22, 2008, resulting in a loss in Patent Term Adjustment to Applicants of one day. See page 1 of the Patent Term Adjustment History, attached.

Since the change in Patent Term Adjustment was as a result of events occurring on the day the Issue Fee was paid (i.e., that day was double-counted against Applicants), the incorrect Patent Term Adjustment could not have been raised before the payment of the Issue Fee.

Thus, the total adjustment based on PTO delay is 701 days and the reductions in term adjustment is 492 days, resulting in a patent term adjustment of 209 days total. Applicants respectfully request that the current patent term adjustment be reconsidered.

B. Terminal Disclaimer

The above-identified application is not subject to a Terminal Disclaimer.

C. Reasonable Efforts

There were no circumstances constituting a failure to engage in reasonable efforts to conclude processing of examination of the above-identified application, as set forth in 37 C.F.R. § 1.704.

II. Fee

As required by 37 C.F.R. § 1.705(b)(1), this application is accompanied by a check for \$200.00 to cover the required fee. Please charge any deficiencies to Deposit Account No. 06-0916. If there are any other fees due in connection with the filing of this request, please charge them to Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

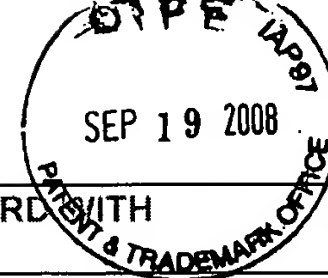
Dated: September 18, 2008

By: _____



Joseph E. Palys
Reg. No. 46,508

Attachment: Patent Term Adjustment History for Patent No. 7,606,402



09/659,585

**SYSTEM AND METHOD FOR PROVIDING A CREDIT CARD WITH
MULTIPLE CREDIT LINES**
09-02-
2008::16:35:26
Patent Term Adjustments

Patent Term Adjustment (PTA) for Application Number: 09/659,585

Filing or 371(c) Date:	09-11-2000	USPTO Delay (PTO) Delay (days):	701
Issue Date of Patent:	07-29-2008	Three Years:	-
Pre-Issue Petitions (days):	+0	Applicant Delay (APPL) Delay (days):	493
Post-Issue Petitions (days):	+0	Total PTA (days):	208
USPTO Adjustment(days):	+0	Explanation Of Calculations	

Patent Term Adjustment History

Date	Contents Description	PTO(Days)	APPL(Days)
07-09-2008	PTA 36 Months		
07-29-2008	Patent Issue Date Used in PTA Calculation	68	
06-27-2008	Dispatch to FDC	↑	
06-27-2008	Application Is Considered Ready for Issue	↑	
06-27-2008	Mail Response to 312 Amendment (PTO-271)	↑	
01-22-2008	Response to Amendment under Rule 312	↑	
04-30-2008	Pubs Case Remand to TC	↑	
01-22-2008	Issue Fee Payment Verified		3
03-21-2008	TC Return to Pubs		↑
03-20-2008	TC Return to Pubs		↑
01-22-2008	Amendment after Notice of Allowance (Rule 312)		120
01-24-2008	Mail Miscellaneous Communication to Applicant		
01-08-2008	Pubs Case Remand to TC		
01-22-2008	Issue Fee Payment Received		
01-22-2008	TC Return to Pubs		
01-22-2008	Miscellaneous Communication to Applicant - No Action Count		
10-19-2007	Mail Notice of Allowance	12	
09-06-2007	Mail Examiner Interview Summary (PTOL - 413)	↑	
06-25-2007	Document Verification	↑	
06-25-2007	Notice of Allowance Data Verification Completed	↑	
04-20-2007	Examiner Interview Summary Record (PTOL - 413)	↑	
06-14-2007	Date Forwarded to Examiner	↑	
06-07-2007	Response after Non-Final Action		31
06-07-2007	Request for Extension of Time - Granted		↑
02-07-2007	Mail Non-Final Rejection		↑
01-08-2007	Non-Final Rejection		
12-14-2006	Case Docketed to Examiner in GAU		
11-03-2006	Date Forwarded to Examiner		
11-03-2006	Date Forwarded to Examiner		
10-30-2006	Request for Continued Examination (RCE)		

11-03-2006	DISPOSAL FOR A RCE/CPA/129 (express abandonment if CPA)	
10-30-2006	Request for Extension of Time - Granted	
10-30-2006	Workflow - Request for RCE - Begin	
10-05-2006	Case Docketed to Examiner in GAU	
08-01-2006	Mail Examiner Interview Summary (PTOL - 413)	
08-01-2006	Mail Examiner Interview Summary (PTOL - 413)	
07-26-2006	Examiner Interview Summary Record (PTOL - 413)	
07-27-2006	Examiner Interview Summary Record (PTOL - 413)	
05-30-2006	Notice of Appeal Filed	91
05-30-2006	Request for Extension of Time - Granted	↑
03-14-2006	Mail Advisory Action (PTOL - 303)	↑
03-09-2006	Advisory Action (PTOL-303)	↑
03-07-2006	Date Forwarded to Examiner	↑
02-28-2006	Amendment after Final Rejection	↑
11-29-2005	Mail Final Rejection (PTOL - 326)	↑
11-23-2005	Final Rejection	
10-05-2005	IFW TSS Processing by Tech Center Complete	
03-04-2002	Reference capture on IDS	
09-15-2005	Date Forwarded to Examiner	
09-08-2005	Response after Non-Final Action	
08-05-2005	Mail Examiner Interview Summary (PTOL - 413)	
08-03-2005	Examiner Interview Summary Record (PTOL - 413)	
06-10-2005	Mail Non-Final Rejection	
06-07-2005	Non-Final Rejection	
04-09-2005	Date Forwarded to Examiner	
04-09-2005	Date Forwarded to Examiner	
03-28-2005	Request for Continued Examination (RCE)	59
04-09-2005	DISPOSAL FOR A RCE/CPA/129 (express abandonment if CPA)	↑
03-28-2005	Request for Extension of Time - Granted	↑
03-28-2005	Workflow - Request for RCE - Begin	↑
02-08-2005	Mail Advisory Action (PTOL - 303)	↑
02-07-2005	Advisory Action (PTOL-303)	↑
02-01-2005	Date Forwarded to Examiner	↑
01-24-2005	Amendment after Final Rejection	↑
01-24-2005	Workflow incoming amendment IFW	↑
10-28-2004	Mail Final Rejection (PTOL - 326)	↑
10-26-2004	Final Rejection	
10-23-2004	Date Forwarded to Examiner	
10-08-2004	Supplemental Response	60
10-08-2004	Workflow incoming amendment IFW	↑

01-29-2001	Oath or Declaration Filed (Including Supplemental)	⬆
08-19-2004	Date Forwarded to Examiner	⬆
08-09-2004	Response after Non-Final Action	129
08-09-2004	Workflow incoming amendment IFW	⬆
07-19-2004	Mail Notice of Informal or Non-Responsive Amendment	⬆
07-16-2004	Date Forwarded to Examiner	⬆
04-02-2004	Informal or Non-Responsive Amendment after Examiner Action	⬆
04-02-2004	Response after Non-Final Action	⬆
01-05-2004	Mail Non-Final Rejection	
12-24-2003	Non-Final Rejection	
10-30-2003	Date Forwarded to Examiner	
10-24-2003	Response to Election / Restriction Filed	
10-24-2003	Request for Extension of Time - Granted	
07-25-2003	Mail Restriction Requirement	621
07-24-2003	Requirement for Restriction / Election	⬆
06-25-2003	Case Docketed to Examiner in GAU	⬆
05-07-2003	Case Docketed to Examiner in GAU	⬆
02-12-2003	Case Docketed to Examiner in GAU	⬆
08-05-2002	Case Docketed to Examiner in GAU	⬆
04-23-2002	Case Docketed to Examiner in GAU	⬆
04-23-2002	Case Docketed to Examiner in GAU	⬆
04-23-2002	Case Docketed to Examiner in GAU	⬆
04-23-2002	Case Docketed to Examiner in GAU	⬆
03-04-2002	Information Disclosure Statement (IDS) Filed	⬆
03-04-2002	Information Disclosure Statement (IDS) Filed	⬆
02-09-2001	Information Disclosure Statement (IDS) Filed	⬆
02-09-2001	Information Disclosure Statement (IDS) Filed	⬆
05-17-2001	Case Docketed to Examiner in GAU	⬆
05-04-2001	Transfer Inquiry	⬆
05-03-2001	Transfer Inquiry	⬆
02-13-2001	Application Dispatched from OIPE	⬆
02-13-2001	Application Is Now Complete	⬆
10-30-2000	Notice Mailed--Application Incomplete--Filing Date Assigned	⬆
10-28-2000	Correspondence Address Change	⬆
09-29-2000	IFW Scan & PACR Auto Security Review	⬆
09-11-2000	Initial Exam Team nn	⬆

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